

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CALVIN J. LEAVY, JR.,)	1:05-CV-00314 LJO SMS HC
)	
Petitioner,)	ORDER ADOPTING FINDINGS AND
)	RECOMMENDATION
)	[Doc. #21]
v.)	
)	ORDER DENYING PETITION FOR WRIT
)	OF HABEAS CORPUS
)	
R. KIRKLAND,)	ORDER DIRECTING CLERK OF COURT
)	TO ENTER JUDGMENT
Respondent.)	

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On December 6, 2006, the Magistrate Judge issued [Findings and Recommendation](#) that recommended the petition be DENIED. The Findings and Recommendation was served on all parties and contained notice that any objections were to be filed within thirty (30) days of the date of service of the order.

On January 12, 2007, Petitioner filed [objections](#) to the Findings and Recommendation.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file and having considered the

1 objections, the Court concludes that the Magistrate Judge's Findings and Recommendation is
2 supported by the record and proper analysis, and there is no need to modify the Findings and
3 Recommendations based on the points raised in the objections.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The Findings and Recommendation issued December 6, 2006, is ADOPTED IN FULL;
6 2. The Petition for Writ of Habeas Corpus is DENIED; and
7 3. The Clerk of Court is DIRECTED to enter judgment in favor of Respondent.

8 IT IS SO ORDERED.

9 **Dated: March 29, 2007**
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/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE